

BOARD OF SELECTMEN
Francis A. Hegarty, Chairman
Steven P. Rose, Clerk
Robert F. Brady, Jr., Associate

Town of Avon Massachusetts

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Michael McCue, Town Administrator



BOARD OF SELECTMEN MEETING THURSDAY, SEPTEMBER 19, 2013 7:30 p.m.

Members present: Francis A. Hegarty, Chairman
Steven P. Rose
Robert F. Brady, Jr.

Others present: Michael McCue, Town Administrator
Joseph Lalli, Town Counsel

Chairman Hegarty called the meeting to order at 7:30 p.m. with all members present.

Chief Robert Spurr led the meeting in the Pledge of Allegiance.

Mr. Brady made a motion to accept the minutes of Monday, September 16, 2013 (Special Town Meeting) as written. Mr. Rose seconded the motion. The motion carried.

Mr. Brady made a motion to approve the minutes of Thursday, September 5, 2013 (Regular Session) as submitted. Mr. Rose seconded the motion. All were in favor.

Mr. Brady made a motion to approve the minutes of Thursday, September 5, 2013 (Executive Session) as written. Mr. Rose seconded the motion. The vote was unanimous.

Mr. Brady made a motion to approve the minutes of Monday, August 19, 2013 (Meeting with Holbrook Board of Selectmen) as submitted. Mr. Rose seconded the motion. All were in favor.

CALL FIREFIGHTER BADGE PINNING

Chief Spurr presented the following names to Chairman Hegarty for call firefighter badge pinning this evening:

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|--------------------------------------------|---------------------------------|
| 1. Charles Comeau Jr., 82 West High Street | Pinned by his grandfather, Joe |
| 2. James Houhoulis, 373 Page Street | Pinned by his father, George |
| 3. Patrick Manning, 68 Freeman Street | Pinned by his grandfather, Jack |
| 4. Michael Theil, 96 Oak Street | Pinned by his mother, Sally |

5. Kevin Topping, 256 East High Street
6. Justin Murphy, 140 South Street, Holbrook

Pinned by his mother, Lisa
Pinned by his mother, Joan

Chief Spurr congratulated the new call firefighters on their appointment and wished them a safe and long career with the Avon Fire Department.

On behalf of the Board, Chairman Hegarty extended his congratulations to the new call firefighters and wished them a safe and long career.

AWARD BID FOR STREET PAVING AND APPURTENANT WORK FOR THE TOWN OF AVON AND THE AVON HOUSING AUTHORITY

Mr. Brady made a motion to award the FY14 Street Paving and Appurtenant Work Contract to T.L. Edwards, Inc. of Avon, at a cost of \$1,382,689.00, the lowest responsible bidder, based on the recommendation of Town Administrator McCue. Mr. Rose seconded the motion. The motion carried.

A donation was received from Constance Vieira to the Council on Aging, in the amount of \$25.00, to be used for holiday treats.

Mr. Brady made a motion to accept the \$25.00 donation from Constance Vieira to the Council on Aging. Mr. Rose seconded the motion. The motion carried.

A donation was received from Robert Neal Borden, in the amount of \$200.00, to be used for the continued upkeep of the walking trails within DeMarco Park. The funds would be placed in the gift account set up for DeMarco Park maintenance.

Mr. Brady made a motion to accept the \$200.00 donation from Robert Neal Borden to be used for the maintenance of the trails at DeMarco Park. Mr. Rose seconded the motion. The motion carried.

Chairman Hegarty once again thanked Mr. Borden for all of his work and efforts at DeMarco Park.

A street opening permit application was received from J. Aiello Trucking and Excavating for a curb cut at 357 Page Street for Patrick Buccella.

Chairman Hegarty reported that this curb cut is to relocate the driveway and granite curbing would be removed.

Mr. Rose made a motion to approve the curb cut at 357 Page Street with the following conditions: (1) any disturbance to the road must be repaired to the Highway Department's policy specifications and (2) any curbstone removed must be returned to the Town of Avon's Highway yard; work must be completed according to Town regulations, by November 15, 2013. Mr. Brady seconded the motion. All were in favor.

A temporary sign permit application was received from Affordable Furniture To Go at 75 Stockwell Drive to display one banner advertising a "Fall Sale" from October 4 through October 28th, 2013.

Mr. Brady made a motion to approve the temporary sign permit for Affordable Furniture for one banner to be displayed from October 4th through October 28th. Mr. Rose seconded the motion with discussion. Mr. Rose stated there is no signed letter from the landlord attached. Mr. Rose voted to amend the motion with the condition that a signed letter from the landlord be forthcoming. After some discussion, it was unanimously voted to approve the amended motion as stated above.

ANNOUNCEMENTS

Chairman Hegarty announced Senator Brian Joyce will hold office hours at the Council on Aging on Monday, September 23rd from 10:30 a.m. to 11:30 a.m. Anyone interested in speaking with the Senator on any issue can stop by. No appointment is necessary.

A seasonal Flu Clinic will be held on Thursday, September 26, 2013 from 1:00 p.m. to 6:00 p.m. in the Meeting Room at Avon Town Hall. For additional information, please call the Avon Board of Health.

A Household Hazardous Waste and Medication Take Back Disposal Day will be held on Saturday, October 5, 2013 in the Randolph High School parking lot from 8:00 a.m. to Noon. Proof of residency is required. This is for all Avon and Randolph residents only. For further information, please contact the Avon Board of Health or go onto the Town of Avon's website www.avonmass.org.

A request was received regarding 354 East Main Street—asking the Board of Selectmen to subordinate the two (2) liens presently held against the parcel of land at 354 East Main Street. The first is in the amount of \$9,360 and the second is for \$15,595. The trust family member at 354 East Main Street is requesting the Town to subordinate its position to Maverick Fund Corp. so that a family member may refinance (buy out her siblings) and own 354 East Main Street.

After some discussion, Mr. Brady made a motion to authorize subordination on two (2) liens of property at 354 East Main Street; Cases 09-15E and 09-15 Full. Mr. Rose seconded the motion with discussion. Mr. Rose questioned whether the Board of Selectmen has the authority to subordinate the two liens because the house remains in the family. Chairman Hegarty responded “yes” – the Board has the authority. The vote was unanimous.

Meeting dates for the month of October were set as follows:

Thursday, October 3, 2013 at 7:30 p.m.

Thursday, October 17, 2013 at 7:30 p.m.

8:00 p.m.—Ken Caputo—Report on Unaccepted Roads with the Planning Board

Mr. Caputo presented to the Board a Roadway Assessment Program of the private roads in Avon. Planning Board members Charles Comeau (Chairman), Robert Pillarella and Charles Marinelli were in attendance.

Mr. Caputo explained the Town retained his services to look at the private roadways in Avon (unaccepted ways). There were 30 roads in total. Mr. Caputo surveyed the condition of these private roadways. Mr. Caputo’s assessment provides the Town with a summary of the physical inventory and conditions analysis performed on each roadway by his team. He also included a cost estimate for maintenance and repair, which establishes what Mr. Caputo refers to as the Infrastructure Cost Liability (ICL). Ratings from excellent to poor were applied to each portion of the roadway infrastructure with the pavement condition serving as the basis for the overall rating presented. Mr. Caputo also stated there is a cost associated with the future maintenance or repair of roadway infrastructure that the Town should consider when accepting private roadways and making them public. This assessment is intended to serve as a tool to assist the Town in making such decisions.

Mr. Caputo reported the next step in this process would be to review each assessment and conduct meetings to discuss these in detail.

Chairman Hegarty commented that we cannot expend any money right now since we don't know who owns the land on some of these roadways. The owner may not want the Town to take over the roadway. Chairman Hegarty stated the Assessor's office may have recorded some of this information.

Mr. Rose suggested putting a program together and setting standards for the 30 streets.

Mr. Comeau stated if a road is accepted, it would create additional work for the Highway Department since weeds, brush, etc. would need to be cleaned up. Mr. Comeau also asked how does the Town go about compiling this information.

After further discussion, Mr. Caputo stated the Board/Planning Board needs to create a prioritization list and find out who owns the land and set criteria for acceptance.

After further discussion, it was agreed that the Town Administrator would begin to research information with the Assessor's office and begin the process. A meeting would be held in one month.

At 8:45 p.m. Mr. Caputo and the Planning Board departed.

8:45 p.m.—Meeting with Columbia Gas—Seth Krueger

Mr. Seth Krueger of Columbia Gas's Engineering Department appeared before the Board.

Chairman Hegarty expressed his concern over the abundance of requests for road openings over the past year or so, some of which were requests received for recently paved roads. Chairman Hegarty also explained requests have been sent in with errors—sketches missing, lack of information, sketches for the wrong street, etc.

Mr. Krueger said he would look into the list for permits/road cuts compiled by the Town since June of 2013. Mr. Krueger stated the utility company tries to minimize the abandonment of gas stubs.

After further discussion, Chairman Hegarty reported it would be helpful to send a list to the Town of gas installations, etc. well in advance before the Town begins road work (Chapter 90 funds).

Mr. Krueger departed at 9:05 p.m.

On a motion made by Mr. Brady, seconded by Mr. Rose, it was unanimously voted to approve all vouchers for the payment of bills as submitted.

TOWN ADMINISTRATOR'S REPORT

Mr. McCue reported information has been forwarded to the Central Register regarding the Remediation of Hazmats—to create an RFP for the Crowley School remediation.

Mr. McCue has received confirmation from Blue Hills that the cupola at the Police Station will be fixed as well as some trim work being done and repairs to the Town Hall sign will be taken care of by carpentry class students.

Mr. McCue received documentation from FEMA that the Town would receive \$54,000 for the February blizzard of last year—approximately 75% reimbursement from damages in the storm.

A new tree has been donated by John Kelly at DeMarco Park to replace trees down from prior storms.

At 9:15 p.m. Mr. Brady made a motion to enter Executive Session to both discuss strategy with respect to litigation as an open meeting may have a detrimental effect on the litigating position of the public body, so declared by the Chair, and to conduct strategy sessions in preparation for negotiations with non-union personnel and union personnel, and to reconvene in open session for the sole purpose of adjournment. Mr. Rose seconded the motion.

A roll call vote was taken:

Mr. Brady voted aye

Mr. Rose voted aye

Chairman Hegarty voted aye

The Board would not reconvene in Open Session.

Respectfully submitted,

Miriam Rothstein

Miriam Rothstein

Secretary